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cancel.

--34. The method according to claim 30, wherein a pressure in said extrusion head is between about 6×10^6 Pa and about 15×10^6 Pa.--

REMARKS

Claims 15-34 are pending. By the Office Action, the drawings are objected to, the specification is objected to, claims 1-14 are subject to a Restriction and Election Requirement, and claims 1-14 are rejected. By this Amendment, the drawings are corrected, the specification is amended, claims 1-14 are canceled, and claims 15-34 are added. No new matter is added.

The attached Appendix includes marked-up copies of each rewritten paragraph (37 C.F.R. §1.121(b)(1)(iii)).

I. RESTRICTION AND ELECTION REQUIREMENT

The Office Action indicates that claims 1-14 are subject to a Restriction Requirement between Group I (claims 1-9, drawn to a composition) and Group II (claims 10-14, drawn to a process). In addition, the claims are subject to an Election Requirement of a single species of the composition of the binder ingredients.

By this Amendment, claims 1-14 are canceled, thus rendering the Restriction and Election Requirement moot. However, in order to advance prosecution of this application, the examination of all of new composition claims 15-29 and new method claims 30-34 are discussed below. Further, Applicants elect product claims 15-29 and a binder comprising an acrylic ester polymer and a plasticizer, with traverse. Claims 16-18 and 20-29 are readable on the elected group and species, and at least claim 15 is generic to the elected species.

Method claims 30-34 depend from claim 1 (elected Group I) and are directed to methods for manufacturing the composition of claim 15; therefore, method claims 30-34 include all of the limitations of elected claims 15. Thus, the subject matter of method claims 30-34 is sufficiently related that a thorough search for the subject matter of the claims of elected Group I would encompass a search for the subject matter of the claims of Group II. Accordingly, search and examination of the entire application (claims 15-34) could be made without serious burden.

MPEP §803 states that "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions."

Further, every feature of elected claim 15 is included in method claims 30-34.

MPEP §821.04 states that "if the elected invention is directed to the product, and the claims directed to the product are subsequently found patentable, process claims which either depend from or otherwise include all of the limitations of the allowable product will be rejoined." (Emphasis in original). Thus, upon allowance of elected claims 15-29, method claims 30-34 must be rejoined and examined.

It is respectfully submitted that, in view of the lack of a serious burden on the Examiner for examining all of claims 15-34, and that method claims 30-34 must be rejoined to composition claims 15-29 upon allowance of the composition claims, it is respectfully submitted that all of claims 15-34 should be examined in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Reconsideration and withdrawal of the Restriction Requirement is respectfully requested.

II. DRAWINGS

The drawings are objected to for containing rough and blurred lines, as opposed to straight, clear, solid black lines. The attached letter to the Official Draftsperson submits corrected formal drawings to the Patent Office. The corrected drawings have straight, clear, solid black lines in accordance with 37 C.F.R. §§1.84 and 1.85.

Reconsideration and withdrawal of the objection are respectfully requested.

III. CHEMICAL ABSTRACTS

The Office Action requires Applicants to provide to the Patent Office a copy of the Chemical Abstract reference that was cited in the December 6, 2001, Information Disclosure Statement. A copy of the Chemical Abstract reference is attached hereto.

IV. SPECIFICATION

The specification is objected to for lacking paragraph headings, for lacking a Brief Description of the Drawings, and the length of and terminology used in the Abstract. By this Amendment, paragraph headings are added, a Brief Description of the Drawings is added, and the Abstract is amended.

Reconsideration and withdrawal of the objection are respectfully requested.

V. CLAIMS

A. Section 112, Second Paragraph, Rejections

Claims 1-14 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the claims are rejected for reciting the phrase "hydrocarbonaceous binder." Claim 10 is further rejected for antecedent basis issues and for not further limiting the composition, and claim 3 is further rejected for using conditional language.

By this Amendment, claims 1-14 are canceled, thus rendering the rejection of these claims moot.

Claims 15-34 do not recite the objectionable phrase "hydrocarbonaceous binder," have addressed any antecedent basis issues, include proper method claims, and exclude conditional language. Thus, claims 15-34 satisfy the requirements of §112, second paragraph.

Reconsideration and withdrawal of the rejection are respectfully requested.

B. Section 112, First Paragraph, Rejections

Claims 1-14 are rejected under the written description requirement of 35 U.S.C. §112, first paragraph. The Office Action references the §112, second paragraph, rejection and further indicates that Applicants have not properly disclosed what the invention is or enabled one skilled in the art to make and use the invention.

By this Amendment, claims 1-14 are canceled, thus rendering the rejection of these claims moot.

As discussed above, claims 15-34 satisfy the requirements of §112, second paragraph, and are thus clear to one skilled in the art. New claims 15-34 are supported and enabled by the specification, and one skilled in the art would understand that the Applicants had possession of the claimed invention at the time the application was filed.

Reconsideration and withdrawal of the rejection are respectfully requested.

VI. CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,


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WPB:PAC/amw

Attachments:

Appendix
Abstract
Reference
Letter to the Official Draftsperson

Date: March 17, 2003

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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APPENDIX

Changes to Title:

Before Page 1, line 1, the title is added.

Changes to Abstract:

The following is a marked-up version of the amended Abstract.

ABSTRACT OF THE DISCLOSURE

The invention is directed to a solvent-free gas-generating pyrotechnic composition, and a method for continuously manufacturing the composition in a twin-screw mixer-extruder, the composition including a binder, a nitrogenous organic compound, an oxidizing filler, and optionally at least one additive; the oxidizing filler including an ammonium perchlorate and a chlorine scavenger; the binder including at least one polymer, having a molecular mass greater than 200,000 and selected from a polyester polymer and an acrylic ester, and wherein the binder including at least one liquid constituent selected from a polyester resin and a plasticizer.

~~—The invention relates to gas generating pyrotechnic compositions and to a continuous process which allows them to be prepared.~~

~~—Such compositions comprise a hydrocarbonaceous binder, a nitrogenous organic compound and an oxidizing filler comprising ammonium perchlorate and a chlorine scavenger.~~

~~—The binder is composed either of the combination of a polyester gum and of a polyester resin or of the combination of an acrylic gum and of a plasticizer for this gum.~~

~~—The solids (A) and the liquids (B) are introduced into the twin screw mixer extruder (1) via two different feed openings. The constituents are then conveyed and kneaded in the compartment (2), so as to obtain a homogeneous paste. This paste is subsequently degassed in~~

~~the compartment (3) and then extruded in the form of rods (8). These rods are cut up into charges (9).~~

Changes to Specification:

Page 1, after the title and before the first paragraph, new headings are added.

Page 1, between lines 10 and 12, a new heading is added.

Page 4, between lines 10 and 12, a new heading is added.

Page 10, between lines 4 and 6, new headings and new paragraphs are added.

Changes to Claims:

Claims 1-14 are canceled.

Claims 15-34 are added.